

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
EUREKA DIVISION

NOTICE: Plaintiff is directed to serve a copy of this Standing Order at once on all parties to this action and upon those subsequently joined, and to file with the Clerk of Court a certificate of service reflecting such service.

STANDING ORDER OF MAGISTRATE JUDGE NANDOR J. VADAS

(Revised June 26, 2013)

1. Compliance with Federal Rules, General Orders, Local Rules and Standing Orders. All parties shall consult and comply with all applicable Federal Rules, as well as the General Orders and Local Rules of the U.S. District Court for the Northern District of California, except as expressly modified herein. Failure to comply with any applicable rule or order may be deemed sufficient grounds for monetary sanctions, dismissal, entry of default judgment, or other appropriate sanctions. The aforementioned rules and orders are supplemented and modified as follows, and as described in the Court's Case Management and Pretrial Order, which shall be entered in each civil case following the initial case management conference. A generic version of the Case Management and Pretrial Order is available on the Court's website (www.cand.uscourts.gov → Judges → Nandor J. Vadas → Standing Orders).

2. Consent/Declination to Proceed Before a Magistrate Judge. In cases that are randomly assigned to Judge Vadas for all purposes, a "Consent to Proceed before a U.S. Magistrate Judge" and a "Declination to Proceed before a U.S. Magistrate Judge and Request for Reassignment to a United States District Judge" will be provided to all parties. The parties are requested, within two (2) weeks of the receipt of these forms, to complete and file the form reflecting their consent or declination as to Judge Vadas' jurisdiction as presiding judge. All pleadings filed in cases in which Judge Vadas is the presiding judge shall bear the designation "EUREKA DIVISION" and the initials "NJV" following the case number.

3. Location. Judge Vadas generally hears matters in Courtroom 205A on the 2nd floor of the U.S. Post Office and Courthouse, 514 H Street, Eureka, CA 95501-1038 (the "Eureka Federal Courthouse"). Judge Vadas also hears matters monthly in person in San Francisco. In addition, the parties may request to appear by telephone for any matter before the Court if they wish to do so. Finally, if all parties so agree, they can request to appear by video-conference from San Francisco. Instructions for phone and video-appearances are provided in paragraph 10.

4. Filing and Lodging Pleadings and Documents. Unless expressly requested by the Court, documents should **not** be faxed to chambers, but should be filed and lodged in accordance with the Court's Local Rules. The Court should **not** be routinely copied on correspondence between counsel. Pro se litigants should review the Court's Handbook for Litigants Without a Lawyer, which is available on the Court's website (www.cand.uscourts.gov/prosehandbk), for further instruction on filing and lodging procedures. Pro se litigants are reminded to deliver in person or mail their filings to the Clerk's Office in San Francisco at Clerk's Office, U.S. District

Court, 450 Golden Gate Avenue, 16th Floor, San Francisco, CA 94102. All litigants, including pro se litigants, should deliver or mail their chambers copies of filings as provided in Paragraph 13 below.

5. Criminal Law and Motion. Judge Vadas' criminal law and motion calendar takes place on Mondays at 1:00 p.m. at the Eureka Federal Courthouse. Hearings on criminal motions pending before Judge Vadas must be scheduled with the Judge's courtroom deputy, Gloria Knudson.

6. Civil Law and Motion. Judge Vadas' civil law and motion calendar takes place on Tuesdays at 10:00 a.m. at the Eureka Federal Courthouse. **Hearings on civil motions pending before Judge Vadas must be scheduled with the Judge's courtroom deputy, Gloria Knudson** (njvcrd@cand.uscourts.gov or 707-445-3612). The parties also may request to appear by telephone or videoconference (see paragraph 10 below).

7. Status and Case Management Conferences. Status conferences generally are held on Tuesdays at 1:00 p.m. and case management conferences generally are held on Tuesdays at 2:00 p.m. at the Eureka Federal Courthouse. The parties also may request to appear by telephone or videoconference (see paragraph 10 below).

8. Pre-Trial Conferences. Pre-trial conferences are generally held on Tuesdays at 2:30 p.m. at the Eureka Federal Courthouse. The parties also may request to appear by telephone or videoconference (see paragraph 10 below).

9. Requests for Continuances/Status Conferences. Parties wanting to continue hearings, request special status conferences, or make other procedural changes shall do so by a signed stipulation and a proposed order. If a stipulation is not possible, the party seeking relief shall file a written ex parte application explaining why a stipulation was not possible, and a proposed order. Briefing schedules may not be changed by stipulation. Any change in the hearing date does not alter the original briefing schedule unless otherwise ordered by the Court. Any request to reschedule a case management conference shall be made in writing, and by stipulation if possible, at least ten days prior to the scheduled case management conference date.

10. Requirements and Procedures for Requesting Telephonic or Videoconference Appearances. (A.) Any party requesting to appear telephonically for a proceeding before Judge Vadas must obtain advance permission to do so by contacting the Judge's courtroom deputy, Gloria Knudson, at least four business days prior to the proceeding. **The court does not permit the use of cellular phones or speakerphones of any kind for participation in any court proceeding.** All telephone equipment used for teleconferencing must be fully capable of duplex operation. Duplex (also known as "full-duplex") communication mode provides transmission and reception (in both directions) simultaneously. This means that all parties can talk and hear at the same time. (B.) If all parties to a proceeding wish to appear by videoconference from San Francisco, they shall notify Ms. Knudson at least two weeks before the proceeding. All parties must agree to proceed by videoconference because the technology the Court uses cannot accommodate simultaneous phone and video usage.

11. Settlement Conferences. All parties appearing before Judge Vadas for a settlement conference shall comply with Judge Vadas' Settlement Conference Standing Order,

which is available on the Court's website (www.cand.uscourts.gov → Judges → Nandor J. Vadas → Standing Orders).

12. Discovery Disputes. All parties with a discovery dispute in a case pending before, or referred to, Judge Vadas shall comply with the following:

a. Discovery motions may be addressed to the Court in three ways. A motion may be noticed on not less than thirty-five (35) days notice pursuant to Civil L.R. 7-2. Alternatively, a party may seek an order shortening time under Civil L.R. 6-3 if the circumstances justify that relief. In emergencies during discovery events (e.g., depositions), the Court is available pursuant to Civil L.R. 37-1(b).

b. In the event a discovery dispute arises, counsel for the party seeking discovery shall in good faith confer **in person** with counsel for the party failing to make that discovery in an attempt to resolve the dispute without the Court's involvement, as required by Federal Rule of Civil Procedure 37 and Civil L.R. 37-1(a). The meeting must be **in person**, except where good cause is shown why a telephone conference is adequate. A declaration setting forth these meet and confer efforts, and the final positions of each party, shall be included in the moving papers. **The Court will not consider discovery motions unless the moving party has complied with Fed. R. Civ. P. 37 and Civil L.R. 37-1.**

c. Any party seeking Court intervention during a discovery event, or filing an emergency or ex parte application relating to a discovery dispute, **must** contact Judge Vadas' courtroom deputy, Gloria Knudson at 707-445-3612 prior to filing any documents.

d. Any party seeking an award of attorney fees or other expenses as sanctions in connection with a discovery dispute shall file a separate motion as required by Civil L.R. 37-3.

e. If a party wishes to file a document under seal, that party shall first file a written request for a sealing order setting forth the good cause and accompanied by a proposed order, as provided by Civil L.R. 79-5.

13. Lodging of Chambers Copies. In all "E-Filing" cases when filing papers in connection with any motion for determination by the Judge, the parties shall, in addition to filing papers electronically, lodge with chambers two (2) printed copies of the papers by noon on the court day following the day the papers are filed electronically. These printed copies shall be marked "Chambers Copy" and shall be delivered to Judge Vadas' chambers at the Eureka Federal Courthouse, or mailed to Judge Nandor J. Vadas, P.O. Box 1306, Eureka, CA 95502. Parties shall not file a paper copy of any document with the Clerk's Office that has already been filed electronically. All chambers copies of filings containing exhibits must contain exhibit tabs. Chambers copies of filings in excess of 50 pages must be submitted in binders.

14. Electronic Submission of Proposed Orders. Any proposed order in a case subject to electronic filing shall be e-filed (in .pdf format) and emailed (in Word or Word Perfect format) to njvpo@cand.uscourts.gov.

15. Motions for Summary Judgment. Please consult the Court's Civil Case Management and Pretrial Order.


16. Court Reporters and Electronic Recording of Proceedings. Unless specifically requested, the Court does not provide a court reporter for most pre-trial proceedings. The Court records such proceedings electronically. Copies of proceedings may be obtained by submitting a request to Judge Vadas' courtroom deputy, Gloria Knudson. A check for the appropriate amount (referenced in the Court's website) made payable to the Clerk of the Court for the Northern District of California **should be mailed directly to the San Francisco Clerk's Office at 450 Golden Gate Avenue, 16th Floor, San Francisco, CA 94102.** Each such request must include the case name and number, as well as the date and time of the proceeding for which a copy of the recording is requested. **A party who wishes to have a court reporter present for a pretrial proceeding in a civil matter must notify Judge Vadas' courtroom deputy at least two weeks in advance of the date set for the proceeding.**

17. Questions. Parties are reminded that most procedural questions are answered in the Federal Rules, the Local Rules, and/or the Court's Standing Orders. Parties should **not** contact chambers for answers to procedural questions without first carefully examining the **current** provisions of these authorities. Current versions of the Local Rules and these Standing Orders can be found on the Court's website at www.cand.uscourts.gov. Questions regarding scheduling and case management should be directed to Judge Vadas' courtroom deputy, Gloria Knudson.

18. Pro Se Assistance. Parties representing themselves should consult the Court's Pro Se Handbook and/or Legal Help Center. The Pro Se Handbook and the contact information for the Legal Help Center can be found on the Court's website at www.cand.uscourts.gov.

19. Timeliness; Feedback. The Court strives to set matters and render decisions in a timely manner. The Court encourages parties to advise the Court by letter to chambers of any matter that appears to have been unduly delayed.

IT IS SO ORDERED.



U.S. Magistrate Judge Nandor J. Vadas